

FILED

UNDER

SEAL

1 DAYLE ELIESON
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2 District of Nevada
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9
10 **UNITED STATES DISTRICT COURT**
11 **DISTRICT OF NEVADA**

12 **-oOo-**

13 UNITED STATES OF AMERICA,)	Case No.: 2:15-cr-00127-RFB
)	
14 Plaintiff,)	STIPULATION TO CONTINUE
)	SENTENCING OF DEFENDANT
15 vs.)	ANDREW HANZELIC
)	
16 ANDREW HANZELIC,)	(Filed Under Seal)
)	
17 Defendant.)	
)	

19
20 IT IS HEREBY STIPULATED AND AGREED between the parties, Dayle Elieson, United
21 States Attorney for the District of Nevada, and Kathryn Newman, Assistant United States Attorney,
22 John Mulcahy and Sarah Kiewlicz, Trial Attorneys, Department of Justice, Tax Division, and Rene
23 Valladares, Federal Public Defender, and Brian Pugh, Assistant Federal Public Defender, counsel
24 for Defendant Andrew Hanzelic, that the sentencing date in the above-captioned matter, currently
25 scheduled for June 21, 2018, at 2:00 p.m., be vacated and continued for a date and time no sooner
26

1 than a month after the trial commences in the matter of *United States v. Terry Williamson*, 2:15-cr-
2 00127-MMD-VCF.

3 For the reasons set forth below, the parties respectfully request that this Stipulation and any
4 Order thereon remain **SEALED**.

5 This stipulation is entered into for the following reasons:

6 1. Defendant Andrew Hanzelic is not in custody. He is actively cooperating with the
7 FBI in ongoing investigations unrelated to this case. He is also cooperating in the matter of *United*
8 *States v. Terry Williamson*, 2:15-cr-00127-MMD-VCF, and is expected to testify at trial on behalf
9 of the Government. Based on the defendant's cooperation, the Government requests that this
10 pleading and any order on the stipulation remained sealed.
11

12 2. Trial in this case was scheduled to begin on May 15, 2018. ECF 443. On April 30,
13 2018, the Court vacated the trial date of May 15, 2018 and set a new trial date of August 15, 2018.
14 ECF 455.

15 3. The trial is expected to last one to two weeks. The Government and defendant
16 Andrew Hanzelic are requesting that a sentencing date be set no sooner than one month after the
17 trial commences to allow the Government to consider his cooperation, including his testimony at
18 trial, when it considers any sentencing recommendation in accordance with U.S.S.G. § 5K1.1.
19

20 4. Defendant Hanzelic requests the continuance so that he may fully receive any
21 potential benefits from his cooperation with the Government.

22 **CONCLUSION**

23 For the foregoing reasons, the Government respectfully requests that the sentencing of
24 Defendant Andrew Hanzelic, currently set for June 21, 2018, at 2:00 p.m., be vacated and continued
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1 to a date no sooner than a month after the trial date in this case, and that this motion and the Court's
2 order thereon be filed under seal.

3
4 Respectfully submitted,

5 DAYLE ELIESON
6 Acting United States Attorney

7 Date: May 9, 2018

8 /s/ Kathryn Newman
9 KATHRYN NEWMAN
10 Assistant United States Attorney
11 SARAH KIEWLICZ
12 JOHN MULCAHY
13 Trial Attorneys, Department of Justice

14
15 Date: May10, 2018

16 / s/ Shari Kaufman for
17 AFPD Brian Pugh
18 Counsel for Defendant Andrew Hanzelic

19
20 **ORDER**

21 IT IS HEREBY ORDERED that the sentencing for Defendant Andrew Hanzelic in the
22 above-captioned case currently set for June 21, 2018, at 2:00 p.m., be vacated and continued to
23 Thursday, September 6, 2018 at 2:00 PM.

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RICHARD F. BOULWARE, II
United States District Judge